

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-8 are currently pending in the application. The Examiner has rejected Claims 2 and 5 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out. Claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Toki* (U.S. 6,427,017) in view of Applicant's admitted prior art and *Komura* (U.S. 6,554,098). Also in the Office Action, the Examiner objected Claims 1 and 4 because of informalities.

In the Office Action, the Examiner states that a certified copy of the 2000-76458 application has not been filed with the U.S. Patent and Trademark Office, which filing is required by 35 U.S.C. §119(b). However, it is noted that the above-identified certified copy was already submitted to U.S. Patent and Trademark Office on June 13, 2001. A copy of the Transmittal of Certified Copy, the cover page of the certified copy, and a copy of the postcard dated June 19, 2001 indicating the certified copy was received are enclosed. Acknowledgement of receipt of the certified copy is respectfully requested.

The Examiner asserts that Figs. 1 and 2 be labeled as "PRIOR ART". Accordingly, amended Figs. 1 and 2 are enclosed, including in the legend "PRIOR ART" on each of Figs. 1 and 2.

With respect to the objection to Claims 1 and 4, as indicated above, the Examiner suggests that “it is common practice to state the full definition of an acronym before the first use of that acronym”. While this is not believed to be necessary for an acronym such as “LCD”, Claims 1 and 4 have been amended to correct this informality.

With respect to the §112 rejection of Claims 2 and 5, Claims 2 and 5 have been amended to further clarify the claim in accordance with the recommendations of the Examiner and not purposes related to the statutory provisions for patentability. Withdrawal of the rejection is requested.

With regards to the rejection of independent Claim 1, the Examiner asserts that *Toki* discloses all the elements of the claims except for a plate divided into a first portion corresponding to the LCD window and a second portion extended from the first portion, for mounting a panel-type speaker, which is allegedly disclosed in *Komura*. Specifically, the Examiner cites a panel speaker means wherein a vibration driver 2 is mounted on one end of a vibration plate 1, wherein the vibrating plate can be any type of display such as an LCD display, in *Komura* (Abstract, Figs. 10-12, col. 2, lines 62-65, col. 3, lines 4-56, col. 5, line 19 – col. 6, line 12, col. 9, lines 16-61).

However, Claim 1 of the present invention discloses an LCD module disposed under the LCD window with a gap between the LCD module and the LCD window, and having a plate divided into a first portion corresponding to the LCD window and a second portion extended from the first portion, for mounting a panel-type speaker. This enables the panel-type speaker S

to be installed in the second portion 31b apart from the LCD window 30 by a predetermined distance where the panel-type speaker mounting structure of the present invention protects the panel-type speaker S against shocks (see page 5, lines 15-19). In contrast to Claim 1, the panel speaker in *Komura* includes an acoustic vibrating plate 1 and a vibration driver 2 mounted off a center of the acoustic vibrating plate 1 and applying vibrating to the vibrating plate 1 (see Abstract of *Komura*). Furthermore, the panel-type speaker mounting structure of the present invention discloses a structure for mounting a panel-type speaker in the LCD module, while the vibrating plate 1 in *Komura* is merely part of the speaker itself, not part of LCD module as recited in Claim 1, even if the panel speaker in *Komura* can be used in a variety of applications with a display, a shielding, a window and other subjects (see col. 9, lines 54-61 of *Komura*).

The Examiner further states that this limitation is well known in the prior art as Applicant's admitted by the applicant in Fig. 2 and at page 2, lines 7-23 of the application. The Examiner further states that "it is conventionally known to have a speaker/LCD configuration wherein the plate upon which the speaker unit is mounted is divided into a first and second portions". It is apparent that the Examiner is not understanding the distinction between the present invention and the Applicant's admitted prior art. As shown in Fig 2, the panel-type speaker S is mounted to the extended portion 20a of the LCD window 20 (see page 2, lines 21-23), while the panel-type speaker S of the present invention is mounted to the extended portion 31b of the LCD module disposed under the LCD window with a gap between the LCD module and the LCD window as recited in Claim 1 (see Fig. 3). This configuration in the Applicant's admitted prior art may adversely affect the underlying panel-type speaker, causing the speaker to malfunction and where the LCD window is susceptible to cracks or breakage (see page 2, lines

26-29).

Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 1 of the present invention, as *Komura* and Applicant's admitted prior art clearly do not disclose an LCD module having a plate divided into a first portion corresponding to the LCD window and a second portion extended from the first portion, for mounting a panel-type speaker. This is a clear distinction between the present invention and the cited references and Applicant's admitted prior art. Accordingly, it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. §103(a) be withdrawn.

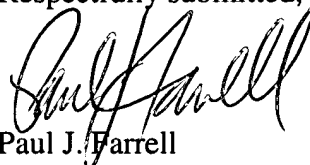
With regards to the rejection of independent Claim 4, similar arguments apply to distinguish the device of independent Claim 4 from *Toki* in view of *Komura* and Applicant's admitted prior art as were used above to distinguish the device of independent Claim 1 from *Toki* in view of *Komura* and Applicant's admitted prior art. *Komura* and Applicant's admitted prior art does not disclose a second LCD window having a first portion corresponding to the first LCD window and a second portion extended from the first portion, for monitoring a panel-type speaker, as recited in Claim 4. Accordingly, it is respectfully requested that the rejection of Claim 4 under 35 U.S.C. §103(a) be withdrawn.

The above arguments are believed to place independent Claims 1 and 4 in condition for allowance. Therefore, at least because of their dependence on independent Claims 1 and 4, dependent Claims 2, 3 and 5-8 are also believed to be in condition for allowance.

In view of the forgoing amendment and accompanying remarks, it is respectfully submitted that all of the claims pending herein, namely, Claims 1-8, are now in condition for allowance.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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